

The Special/Study Meeting of the Troy City Planning Commission was called to order by Chairman Littman at 7:30 p.m. on January 28, 2003, in the Lower Level Conference Room of the Troy City Hall.

1. ROLL CALL

Present

Gary Chamberlain (arrived 7:35 p.m.)
Dennis A. Kramer
Lawrence Littman
Cindy Pennington
Robert Schultz
Walter Storrs
Mark J. Vleck
David T. Waller

Absent

Wayne Wright

Also Present

Mark F. Miller, Planning Director
Brent Savidant, Principal Planner
Susan Lancaster, Assistant City Attorney
Kathy Czarnecki, Recording Secretary

2. MINUTES

Mr. Storrs requested that the January 7, 2003 minutes reflect the following revisions.

Page 1, indicate that John Szerlag was present also.

Page 5, first paragraph to read as follows:

"Mr. Storrs agreed that he would like City Council to indicate their interest in the Commission reviewing the tree preservation ordinance. With respect to cablecasting Special/Study meetings, Mr. Storrs feels the Commission would with time learn to ignore the cameras. Mr. Storrs expressed his concerns about the Planning Commission not being directly involved in engineering matters such as drainage affecting abutting sites. Mr. Szerlag offered to have reviewed any specific site concerns Mr. Storrs would identify. Mr. Storrs requested that the drainage lots abutting the Evanswood Parc Subdivision on Evanswood be reviewed both before and after the new subdivision. Mr. Storrs also wanted to understand why it was acceptable to in effect place the existing residence at 6113 Evanswood "in a hole" due to the filling of the subdivision. Mr. Storrs also requested the pre and post subdivision analysis of drainage relating to the property at 2915 Hill Drive (the Reece property). Mr. Reece reported that prior to the Dequindre Road fronting, subdivision water would collect at the rear of his property and then slowly drain away over the next several dry days but after the subdivision went in, the water was trapped and the area virtually never dried out except in prolonged dry spells."

Resolution

Moved by Storrs

Seconded by Pennington

RESOLVED to approve the January 7, 2003, Planning Commission Special/Study Meeting minutes as corrected.

Yeas

Kramer

Littman

Pennington

Storrs

Vleck

Waller

Abstain

Schultz

Absent

Chamberlain (arrived 7:35 p.m.)

Wright

MOTION CARRIED

Mr. Waller asked for an update on the cablecasting of Special/Study Meetings.

Mr. Miller responded that the City Manager has not presented a Resolution to City Council as of this date.

Mr. Chamberlain arrived at 7:35 p.m.

Resolution

Moved by Storrs

Seconded by Schultz

RESOLVED to approve the January 14, 2003, Planning Commission Regular Meeting minutes as published.

Yeas

Chamberlain

Kramer

Littman

Pennington

Schultz

Storrs

Waller

Abstain

Vleck

Absent

Wright

MOTION CARRIED

Resolution

Moved by Schultz

Seconded by Storrs

RESOLVED, that Mr. Wright be excused from attendance at this meeting.**Yeas**

All present (8)

Absent

Wright

MOTION CARRIED

3. **PROPOSED PLANNED UNIT DEVELOPMENT (PUD-3)** – Proposed Sterling Corporate Center, North side of Big Beaver, West of I-75, Section 21 – O-S-C

Discussion of Walk-about *(Walk-about was cancelled due to inclement weather)*

Mr. Miller reported that the Planning Consultant, Dick Carlisle, has initiated the review for the proposed PUD. Mr. Miller referred to the Burton-Katzman letter dated January 21, 2003 distributed to the Commission prior to the beginning of the meeting, and he apologized that the letter was not inclusive with the Sterling Corporate Center booklet that they received in their packets. Mr. Miller noted the Burton-Katzman letter addresses some of the outstanding issues discussed with the Planning Commission, City staff and the Planning Consultant; i.e., gateway treatment, water feature, landscaping, drive-thru banking and architecture. He noted that the Sterling Corporate Center booklet contained a composite aerial photograph, a cross section showing the elevation of I-75 and the parking deck, additional elevations and a lighting plan.

Mr. Miller said that the Planning Department is waiting to receive the report from the Planning Consultant before further review. He announced that Burton-Katzman representative, Charles DiMaggio, is present and would like to present the various changes submitted to the Planning Department.

Chairman Littman stated the reason the Sterling Corporate Center item is on tonight's agenda was to discuss the walk-about. Since the walk-about was cancelled, there is no reason to make a presentation until the Planning Department and Planning Consultant are done with their reviews.

Mr. Charles DiMaggio, Vice President Project Management of Burton-Katzman Development Company, expressed appreciation to the Commission for their intent to do the walk-about. Mr. DiMaggio introduced Randy Book, broker for Cushman and Wakefield; Peter Burton, President and owner of Burton-Katzman; John Barker, project architect with Hobbs & Black, Jim Butler, project engineer with Professional Engineering Associates; Seth Meltzer of Sterling Bank; and Lori Swanson of Tetra Tech.

4. DOWNTOWN DEVELOPMENT AUTHORITY REPORT

Mr. Miller reported that the most recent DDA meeting was cancelled. The next DDA meeting is scheduled February 19, 2003.

5. BOARD OF ZONING APPEALS REPORT

December 17, 2002 BZA meeting

Ms. Pennington reported approval was given for three renewal requests for reliefs to maintain landscaped berms and masonry screening walls.

January 21, 2003 BZA meeting

Ms. Pennington reported approval was given for five renewal requests for reliefs to maintain landscaped berms and masonry screening walls. Of significance, Ms. Pennington reported that a variance request has been submitted by Salvaggio Market Place for relief of the front yard setback to add an outdoor storage and display area on the east side of their facility. She noted that the market is seeking this variance to expand their display of flowers during the spring and summer months. It should be noted that Salvaggio Market had already been given a variance from the 75' front yard setback at the time it was built. The BZA postponed the request to their February 18, 2003 meeting.

Mr. Chamberlain questioned how the transition from the BZA to the Planning Commission would be handled for renewal requests in regards to relief of the masonry screening walls.

Mr. Miller confirmed that landscaping is an integral part of any site plan and the Commission will most certainly become more involved in the process. Mr. Miller noted that he is unsure how the transition will take place and when landscaping items will be incorporated on the Commission's agendas.

6. PLANNING AND ZONING REPORT

Chairman Littman announced this agenda item would be an addition to future agendas as a "catchall" item. Under this caption, he has asked the Planning Department to report on Council actions and any other issues of importance. He noted that the agenda item would provide opportunities for other departments to provide the Commission with reports and updates.

Rabbani vs City of Troy

Ms. Lancaster reported on the Rabbani vs City of Troy case. In review, Ms. Lancaster stated that owners of the vacant parcel on the west side of Rochester Road between Hannah and DeEtta Streets filed a lawsuit when the City denied their request for rezoning this property. The case was tried in May and a decision was rendered in October, finding the current residential zoning was unreasonable. The Judge also ordered the City to pay court costs and attorney fees.

Ms. Lancaster stated that the City immediately filed an appeal to this decision, based on some errors it believed occurred during the trial. Subsequent to the filing of this appeal, the property owners presented the City of Troy with an offer to settle the case with a consent judgment that would place some limitations on the development of the property. Specifically, the property owners agreed to limit the development to a one-story office building that shall not exceed 20 feet in height. The property owners further agreed to obtain site plan approval from the Troy Planning Commission and seek any special uses or variances from the City Council.

Ms. Lancaster referred to the Amended Consent Judgment and the letter sent to surrounding homeowners advising them that the City has agreed to the Consent Judgment, copies of which were inclusive of the Commission's packets. Ms. Lancaster reported that the Attorney's Office received three phone calls in response to the letter. One call was from an abutting property owner whose concerns were that the property would turn to retail use and the existing trees located on the property lines.

Ms. Lancaster said that it is very clear that over the years, City Council has made changes to the City zoning map and made some non-conforming sites conform to the vicinity. It is her belief that the sites should remain as legal non-conforming uses and the zoning map should not be changed. Ms. Lancaster noted that the Judge in the Rabbani case did a site inspection of the Rochester Road corridor and reported spot zoning.

Discussion followed.

Mr. Chamberlain said the next road to pay attention to for spot zoning is Livernois.

The Commission expressed its concerns that the Consent Judgment will be the start of a domino effect.

Fee Restructuring

Mr. Miller announced that City Management is requesting a comprehensive review of the City fee structure. The City's intent is to update its fee structure to be comparable with other communities. City Council has given a directive that everyone should pay for services and that the General Fund should not subsidize anyone or anything.

Woodside Bible Church

Mr. Miller noted that the Planning Department has received proposed plans from Woodside Bible Church requesting an amendment to their preliminary PUD site plan to allow the church to provide a 3-foot high berm in lieu of the 5-foot high berm as shown on their previously approved preliminary landscape plan. Mr. Miller indicated that it would be the Planning Department's recommendation to Council that the berm remain at five feet in height.

Public Informational Meeting / Proposed Rochester Commons PUD

Mr. Miller said that City staff is in the process of scheduling a public informational meeting for the proposed Rochester Commons PUD. Mr. Miller informed the Commissioners that they can attend the public meeting as an interested resident and individual, but the Commission itself cannot attend as a group. A quorum present would constitute an illegal meeting.

A short discussion followed. It was suggested to hold public meetings, such as this, in City buildings to showcase City attributes.

Planning Commission Meetings – Change in Venue

Chairman Littman proposed that Special/Study Meetings be held in various City buildings (Historical Museum, Nature Center, Community Center, Police and Fire Training Facility, Department of Public Works), and further that a half-hour presentation highlighting that particular venue be given to the Commission prior to the start of the meeting.

Maplelawn Road Widening

Discussion was held with respect to the widening of Maplelawn Road to 5 lanes and constructing sidewalks on both the east and south sides of Maplelawn.

Mr. Savidant stated that the Volvo dealership in this vicinity is parking and storing cars in undesignated areas; i.e., the inside parking lane and along the front driveway. He noted that in terms of site plan compliance and in terms of what has been physically constructed, the site is generally in agreement.

Mr. Miller suggested that site plan criteria for a car dealership should contain (1) designated area(s) for display of cars; (2) enough space to allow maneuverability of a semi tractor trailer to unload car shipments; and (3) designated area(s) to park cars for storage purposes.

Mr. Miller said he would ask Engineering to provide the Commission an explanation to the Maplelawn expansion.

Prioritization of Planning Commission Discussion Items

Mr. Miller asked for the Commission's cooperation in compiling a prioritized list of future Special/Study Meeting discussion items. One suggestion from Mr. Miller is to discuss traffic issues with Lori Swanson of Tetra Tech and the City Traffic Engineer with respect to the proposed Sterling Corporate Center.

Possible PUD Proposal – Top of Troy

Mr. Miller stated that a possible submittal is coming in from Yamasaki/Architects for a proposed PUD to construct a second tower on the Top of Troy. A pre-design meeting with the Planning Consultant is planned.

Possible Residential Development

Mr. Miller said that Mike Lamb has expressed an interest in a residential development located north of the Alibi Restaurant.

Council Action Items

Mr. Miller reported that there were no Council action items relating to Planning Commission submittals at Council's last meeting. Mr. Miller cited there are numerous items on the Council's February 3 meeting agenda.

7. ORDINANCE REVISION DISCUSSION – OFF STREET PARKING REQUIREMENTS (ZOTA #198)

Mr. Miller noted that the Public Hearing for the proposed text amendment revisions to the City off-street parking requirements is scheduled for February 11. The actual public hearing notice was enclosed in the Commission's meeting packet.

Mr. Miller noted that the Planning Consultant's text review was received last Friday after the Commission's meeting packets were delivered. Mr. Miller suggested that the review could be discussed at the next Special/Study Meeting, and a complete review of the text could be done prior to the public hearing.

Discussion followed with respect to the proposed changes and the format of the text amendment.

It was decided to use more friendly-user text so that it is easily understood. Further, it was decided to not discuss the proposed revisions at the next Special/Study Meeting, but to wait for a complete review prior to the February 11 public hearing.

Mr. Kramer commented that he is not in agreement with the Planning Consultant with respect to hospital parking.

Chairman Littman mentioned the Somerset South parking deck matter wherein the City required more parking resulting in a lawsuit, with the plaintiff claiming it was a "taking". Chairman Littman asked the Assistant City Attorney to review this matter and apprise the Commission of her findings.

8. SUB-COMMITTEE REPORTS

- *Gateway*

Mr. Chamberlain announced that the Gateway sub-committee is scheduled to meet tomorrow, January 29, at City Hall in Conference Room D. He reported that Doug Smith has graciously accepted the invitation to join the sub-committee.

- *Amateur Radio Antenna (ZOTA #180)*

Mr. Kramer reported the committee's findings could be ready for discussion at a Special/Study Meeting in late February and a tentative public hearing date in March.

Mr. Savidant reported that the revised language has been sent out to committee members.

Mr. Miller stated that Fire Chief Nelson is a ham radio person himself and has provided the Committee with photographs of a wide variety of antennas.

Mr. Miller will place the proposed text amendment revisions on a February Special/Study Meeting agenda for discussion and will check on the timing for a public hearing in March.

- *Special Use*

Mr. Chamberlain reported the Committee is on hold, noting that he has asked the Planning Department to send all the appropriate data to Mr. Schultz, new member to the sub-committee. Mr. Chamberlain expressed the committee's desire to get assistance from City staff.

- *Tree Preservation / Landscaping*

Mr. Kramer reported that nothing has been scheduled for this sub-committee.

Mr. Miller suggested that the committee meet with Ron Hynd, the City's Landscape Analyst, to address landscaping concerns of the Parks and Recreation Department. He noted that the Tree Preservation Plan and landscaping are two separate issues and should be addressed as such.

Mr. Waller commented that the Tree Preservation Plan was triggered by the Sandalwood development where developers cut down all the trees. He strongly suggested that language be created so a developer and others cannot remove trees.

Chairman Littman requested that the Tree Preservation Plan be placed on a Special/Study Meeting agenda for discussion as quickly as possible.

9. LAND USE AND ZONING STUDY - CROOKS AND BIG BEAVER

Mr. Miller reported that the Planning Consultant is working on the study for Crooks and Big Beaver.

Chairman Littman asked that a memo be sent to Doug Smith to let the DDA know that a report is being prepared and may be available for their March meeting.

10. SEATING ARRANGEMENTS FOR REGULAR MEETING

Chairman Littman stated he would prepare a seating arrangement prior to the next Regular meeting, noting his only preference is to have the Vice Chair seated next to the Chair and acknowledging Mr. Chamberlain's request to be seated to the extreme right end of the seating arrangement.

Discussion was held about receiving notification of County Road Commission projects prior to Planning Commission approval on relevant projects.

Chairman Littman asked the Planning Department that prior to site plan approval on relevant projects, a report from the County Road Commission is made available to the Commission.

Mr. Miller explained that the City does not issue permits for County projects.

The Commission requested maps designating city, county, state and federal roads.

Mr. Chamberlain asked if the Future Land Use Plan should be amended to include designations of county and state roads.

Ms. Pennington exited meeting at 9:35 p.m.

Chairman Littman expressed his desire in scheduling a speaker once a month to do a presentation at a Special/Study Meeting; i.e., representative of the Downtown Development Authority, traffic expert, drain expert.

Chairman Littman announced an agenda item for the next Special/Study Meeting is a report to the Commission on ethics as a Planning Commissioner.

11. PUBLIC COMMENT

Tony Antone of Kojaian Companies was present because he has an interest in the proposed Sterling Corporate Center PUD. He said Kojaian Companies is considering a PUD request in the near future for a second tower at the Top of Troy site, with the former Bank One Headquarters. Mr. Antone expressed Kojaian's eagerness in working on the project with the City.

GOOD OF THE ORDER

Mr. Storrs reported that he attended the Troy League of Women Voters session on drainage. He said that Dana Calhoun, Civil Engineer from Public Works, was very impressive and suggested to have Dana share her knowledge at a Planning Commission study session. He noted that Jeff Biegler spoke on linear parks.

Mr. Miller commented that Dana's expertise is storm water and that she did a complete inventory on each storm water detention basin.

Mr. Kramer said he had the pleasure of attending a Walsh College graduation that was held at the Zion Christian Church. He was extremely impressed with the facility and suggested it would be a good site to check in terms of the 2500-seat performing arts facility that the City is considering and the potential traffic impact of such a site.

Mr. Schultz made the following motion.

Moved by Schultz

Seconded by Chamberlain

RESOLVED, that the City of Troy send Dave Waller as the Planning Commissioner representative to the American Planning Association Conference to be held March 29 through April 2, 2003 in Denver, Colorado.

It was noted that Mr. Savidant is attending also.

No roll call vote was taken, approved by acclamation.

Mr. Waller questioned the availability of budget money for his attendance at the APA conference.

Chairman Littman requested that a copy of the budget be provided to the Commission.

Mr. Chamberlain suggested that the storm water detention presentation by Ms. Calhoun be held at the Public Works facility.

Mr. Chamberlain announced a farewell party is being held at his home for Jim Starr on Saturday, April 12, noting more details will follow in mid-March.

Mr. Miller informed Mr. Chamberlain to contact Cindy Stewart, Community Affairs Director, to request a proclamation plaque for Mr. Starr.

Mr. Miller stated that Tadian Development is considering a PUD on Big Beaver between Alpine and McClure; it is proposed to be a mixed-use project.

Mr. Chamberlain shared his viewing of a PUD project while in Maryland. The PUD, located on the Chesapeake Bay, included a warehouse, 4-story condos; an office building and one factory and was quite impressive.

Chairman Littman asked the Commission to confirm all data on the phone/address list generated by the Planning Department.

Chairman Littman also suggested that Cindy Stewart begin searching for another student representative for next year, since James Ong is a senior.

Chairman Littman stated that another walk-about for the proposed Sterling Corporate PUD would be arranged, possibly in late February.

Mr. Chamberlain announced that he will not be able to attend the next study session (February 4), but will attend the Regular meeting scheduled on the 11th.

ADJOURN

The Special/Study Meeting of the Planning Commission was adjourned at 9:58 p.m.

Respectfully submitted,

Mark F. Miller AICP/PCP
Planning Director

G:\MINUTES\2003 PC Minutes\01-28-03 Special Study_Final.doc